

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

PAULA F. SOTO,

Plaintiff,

V.

CITY OF CAMBRIDGE,

Defendant.

C.A. No. 13-10822-JGD

PLAINTIFF'S ASSENTED TO MOTION FOR LEAVE TO AMEND COMPLAINT

Pursuant to Fed. R. Civ. P. 15(a), Plaintiff Paula F. Soto (“Soto”) hereby moves this Court for an Order granting her leave to amend her Complaint. Defendant City of Cambridge has assented to the filing of this motion. A copy of the proposed First Amended Complaint is attached as Exhibit A.

Rule 15 of the Federal Rules of Civil Procedure provides that “[t]he court should freely give leave [to amend the pleadings] when justice so requires.” Fed. R. Civ. P. 15(a)(2). Leave should be denied only in instances where there exists undue delay, bad faith, repeated failure to cure deficiencies, dilatory motive of the requesting party, or if the amendment would be futile. *Nikitine v. Wilmington Trust Co.*, 715 F.3d 388, 390 (1st Cir. 2013); *Abraham v. Woods Hole Oceanographic Inst.*, 553 F.3d 114, 117 (1st Cir. 2009) (citing *Adorno v. Crowley Towing & Transp. Co.*, 443 F.3d 122, 126 (1st Cir. 2006)).

Here, none of the reasons to deny leave to amend apply. Soto seeks to file an amended complaint to explain in greater detail the declaratory relief sought pursuant to her claims under 42 U.S.C. § 1983 and Article XVI of the Massachusetts Declaration of Rights. In

addition, Soto has added pertinent facts regarding two City Council meetings that were held in May and June of 2014, well after the filing of Soto's original complaint. Finally, granting this Motion will not affect any of the existing deadlines in this matter or alter the scheduling of the case in any way.

Accordingly, Soto respectfully requests that the Court grant Plaintiff's Assented to Motion for Leave to Amend Complaint.

Dated: August 26, 2014

Respectfully submitted,

/s/ Thaila K. Sundaresan

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CERTIFICATE OF SERVICE

I, Thaila K. Sundaresan, hereby certify that this document, filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this 26 day of August, 2014.

/s/ Thaila K. Sundaresan
Thaila K. Sundaresan